

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

Criminal Action No.
5: 13-CR-194 (FJS)

MICHAEL DAVIS,

Defendant.

FINDINGS OF FACT AND ORDER

The Court, having reviewed the allegations contained in the Indictment and reviewed the stipulation of counsel, hereby finds the following:

1. The Indictment in this case charges the defendant with a violation of manufacturing marijuana, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

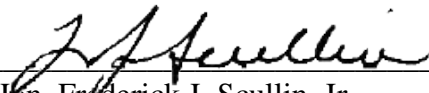
2. The United States and defense counsel have requested an extension of the time limits imposed by this Court's standard pretrial order to become familiar with the facts of this case, examine discovery materials provided by the United States, identify and locate witnesses, file any appropriate pretrial motions, continue plea negotiations and adequately prepare for trial.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that the failure to grant a continuance would deny counsel for the defense the time reasonably necessary to prepare effectively, taking into account the exercise of due diligence, or alternatively would deny the defendant continuity of counsel within the meaning of 18 U.S.C. § 3161(h)(8)(B)(iv); and it is further

ORDERED, ADJUDGED AND DECREED, that the granting of a continuance outweighs the best interests of the public and the defendant in a speedy trial; and it is further

ORDERED, ADJUDGED AND DECREED, that this case is continued from the date this order is signed for sixty ~~(60)~~^{x90} days, thereby giving counsel a reasonable time to comply with the directives of this Court and to effectively prepare for trial. This ninety (90) day period of exclusion shall conclude on Sept 16, 2014. Motions shall be filed on July 23, 2014. Motions shall be returnable in this case on Aug 22, 2014. Trial on this matter shall commence on Sept 22, 2014; and it is further

ORDERED, ADJUDGED AND DECREED, pursuant to 18 U.S.C. § 3161(h)(8)(A), that the period covered by the continuance ordered in the preceding paragraph shall be excluded in computing the time within which the trial of this case must commence.



Hon. Frederick J. Scullin, Jr.
Sr. United States District Judge

Dated: June 18, 2014
Syracuse, New York